

# Pine Drive Telephone Co.

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April 27, 2016

Marlene Dortch

Federal Communications Commission

445 12<sup>th</sup> Street, SW

Washington, DC 20554

**Re:** *Connect America Fund, WC Docket, No. 10-90*

Dear Ms. Dortch:

Pine Drive Telephone Co., (“Pine Drive”), SAC 462198, is a small RLEC offering traditional voice and broadband services to approximately 750 customers over 200 square miles in the mountains of southern Colorado. Pine Drive is filing this letter in response to the FCC’s Challenge Process to the Competitive Coverage that began with the release of the A-CAM version 2.2.<sup>1</sup>

Review of the competitive overlap data recently released by the FCC identifies Comcast Cable (Comcast) and Rye Telephone Company (Rye) as competitors of Pine Drive in several census blocks.<sup>2</sup>

Rye is a neighboring ILEC that shares a study area boundary that splits several census blocks. While Rye may have some limited fiber plant in those census blocks, it does not operate within Pine Drive’s study area. The blocks excluded are the most remote of Pine Drive’s study area and are the most difficult to serve. Precluding customer locations in Pine Drive’s study area because of the possible offerings in a neighboring study area unjustly deprives those locations of the support needed to deploy broadband.

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<sup>1</sup> Connect America Fund, WC Docket No. 10-90. Public Notice Wireline Competition Bureau Releases Alternative Connect America Cost Model Version 2.2 and Illustrative Results and Commences Challenge Process. (Rel. April 7, 2016)

<sup>2</sup> Connect America Fund, WC Docket No. 10-90. Public Notice FCC Releases Form 477 Data on Fixed Broadband Deployment as of June 30, 2015. (Rel. March 16, 2016) The FCC noted that the released June 2015 data includes any revisions made by filers before February 19, 2016.

Comcast is identified as a provider in a lone census block at least 4 miles outside its closest service area in Pueblo, CO.

**Below is a block by block Narrative of the disputed census blocks:**

Blocks in census tract 9701 in Custer County, Colorado. This tract lies in the extreme south-east corner of the county, is mountainous, dominated by National Forest and includes a summer resort town of Lake San Isabel (Lake Isabel). The Pine Drive – Rye Telephone Company (Rye) service area boundary lies ½ mile north of the Lake Isabel community at a forest boundary. Both companies receive Federal Support. Neither company has facilities in the other's territory.

2010 Census	State	County	Tract	Block	Housing Units	Pop	<10/1 Cust Served by PD
80279701001178	CO	Custer	9701	1178	114	17	12

Block 1178 is a very large block stretching north from Lake Isabel for approximately 4 miles encompassing mostly National Forest. There are 12 customers served by Pine Drive at the north end. These customers are the most remote served by Pine Drive and have the slowest broadband speeds in the system. The remaining housing units listed in the 2010 census reside in the Lake Isabel community.

80279701001220	CO	Custer	9701	1220	51	30	18
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Similarly, block 1220 runs north from Lake Isabel for 3 miles on the east side of US HWY 165, encompassing mostly National Forest land. Pine Drive serves approximately 18 customers in the community of Aspen Acres in the block. The remaining housing units reside in the Lake Isabel community south of Pine Drive's service area.

80279701001211	CO	Custer	9701	1211	15	4	15
80279701001223	CO	Custer	9701	1223	1	0	1

Blocks 1211 and 1223 claimed by Rye are an encoding error. These blocks lie totally with Pine Drive's service area and all locations are served by Pine Drive.

Blocks in census tract 2806 - Pueblo County, Colorado. Pueblo County lies north of the St Charles River and the Pine Drive – Rye service area boundary splits 3 census blocks. Pine Drive serves all or the majority of locations in the blocks.

81010028063085	CO	Pueblo	2806	3085	8	14	8
81010028063097	CO	Pueblo	2806	3097	1	2	1

All locations in blocks 3085 and 3097 lie in the Pine Drive service area and are only served by Pine Drive.

81010028061062	CO	Pueblo	2806	1062	75	198	20
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Block 1062 lies 4 miles away from the nearest point of the city of Pueblo.<sup>3</sup> The Comcast website confirms that service is not available to an address in the block. Comcast's claim on this block is an obvious reporting error and should be denied.

As to service provided to this block, approximately 25 locations lie in CenturyLink territory. Pine Drive serves 20 locations and Rye serves the remaining 30 locations in a development on the eastern edge of the block. Pine Drive's 20 locations are scattered in the very rural western half of the block on the eastern edge of Pine Drive's service area.

Pueblo County, Colorado, Census Tract 2804 lies below the St Charles River and Pine Drive – Rye service area boundaries split 3 census blocks that Pine Drive serves all or a large percentage of locations in the blocks.

81010028042007	CO	Pueblo	2804	2007	0	0	0
81010028042011	CO	Pueblo	2804	2011	32	53	24
81010028043046	CO	Pueblo	2804	3046	4	10	4

Concern about block 2007 is moot as there are no locations to serve. All locations in block 3046 are located and served by Pine Drive. The majority - over 75% - of the locations in block 2011 are served by Pine Drive. These are very large blocks and at the extremes of the service area and in most need of support to deploy broadband.

Accordingly, we request that the FCC's Wireline Competition Bureau direct CostQuest to correct the A-CAM to reflect Pine Drive's lack of competitive overlap in any of the above listed census blocks in Pine Drive's study area identified by the FCC as excluded from the A-CAM as a result of Comcast and Rye classified as a qualified competitor. Removal of the incorrect competitive overlap of Comcast and Rye is vital to providing Pine Drive with accurate A-CAM support amounts, which are necessary to enable an informed election on whether to accept model based support.

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<sup>3</sup> See *infra* at Appendix A, a map indicating the outlined census block on the lower left corner compared to the Comcast service area, as well as a screenshot of Comcast's website confirming that service is not available in that census block.

Thank you in advance for correcting this matter.

Sincerely,

A handwritten signature in black ink, reading "Richard J. Sellers". The signature is written in a cursive style with a large, stylized "R" and "S".

Richard J. Sellers  
CEO

CC: TCA, Inc.  
Katie King  
Suzanne Yellen  
Alex Minard

Appendix A



